

**A-6573**  
**Variance Request**

Construct an expanded portico with an at-grade stoop. The proposed portico would measure a maximum of eleven (11) feet in width and eleven feet, six inches (11'-6") in height. The proposed portico would encroach no farther forward of the twenty-five (25) foot front (Nevada Avenue) building restriction line than the maximum encroachment of the existing portico (one foot, two and one-quarter inches (1'-2 1/4")), but the overall width of the proposed portico would increase by one foot, seven inches (1'-7"). The maximum height of the proposed portico would not increase, however portions of the proposed portico would exceed the height of portions of the existing sloped roof.

Mr. Devin Talbott &  
Ms. Lauren Talbott  
6131 Nevada Avenue

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CHEVY CHASE VILLAGE  
BOARD OF MANAGERS  
AUGUST 4, 2014 SPECIAL MEETING

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STAFF INFORMATION REPORT

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**TO:** BOARD OF MANAGERS

**FROM:** ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR

**DATE:** 7/30/2014

**SUBJECT:** HEARING OF CASE NO. A-6573 VARIANCE REQUEST  
MS. LAUREN TALBOTT & MR. DEVIN TALBOTT; 6131 NEVADA AVENUE  
CONSTRUCT AN EXPANDED PORTICO WITH AN AT-GRADE STOOP. THE PROPOSED PORTICO WOULD MEASURE A MAXIMUM OF ELEVEN (11) FEET IN WIDTH AND ELEVEN FEET, SIX INCHES (11'-6") IN HEIGHT. THE PROPOSED PORTICO WOULD ENCROACH NO FARTHER FORWARD OF THE TWENTY-FIVE (25) FOOT FRONT (NEVADA AVENUE) BUILDING RESTRICTION LINE THAN THE MAXIMUM ENCROACHMENT OF THE EXISTING PORTICO (ONE FOOT, TWO AND ONE-QUARTER INCHES (1'-2 1/4")), BUT THE OVERALL WIDTH OF THE PROPOSED PORTICO WOULD INCREASE BY ONE FOOT, SEVEN INCHES (1'-7"). THE MAXIMUM HEIGHT OF THE PROPOSED PORTICO WOULD NOT INCREASE, HOWEVER PORTIONS OF THE PROPOSED PORTICO WOULD EXCEED THE HEIGHT OF PORTIONS OF THE EXISTING SLOPED ROOF.

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NOTICE REQUIREMENTS: Abutting Owners; Public Notice

APPLICABLE CHEVY CHASE BUILDING REGULATION:

**The Chevy Chase Village Code Sec. 8-16 (c) states:**

No structure or play equipment of any description shall be erected within twenty-five (25) feet of the front line of any lot.

APPLICABLE COVENANTS:

"Subject to a 25 foot building restriction line as shown of said record plat."

FACTUAL AND BACKGROUND INFORMATION:

The property is located on the east side of Nevada Avenue.

The existing house has a gable-roofed portico that encroaches a maximum of one foot, two and one-quarter inches (1'-2 1/4") forward of the front (Nevada Avenue) building restriction line (BRL), and measures nine feet, five inches (9'-5") in width.

The Applicants propose to construct a newly designed portico with a rectangular profile that would measure a maximum of eleven (11) feet in width; one foot, seven inches (1'-7") wider than the existing, therefore, increasing the overall building mass forward of the front BRL. See illustration below.



Figure 1: View of 6131 Nevada Avenue. The approximate outline of the proposed portico is depicted as the yellow dashed line. The proposed portico would be one foot seven inches (1'-7") wider than the existing portico, would project no farther forward of the front twenty-five (25) foot BRL than the existing portico and would not exceed the maximum height of the existing portico.

This Property was initially deeded from the Chevy Chase Land Company to Charles and William Cooley as a re-subdivision from a 1938 plat. The language of the covenants for the Property differ from the typical Village covenants in that they reference a "25 foot building restriction line as shown on said recorded plat" rather than the more standard language of "No structure of any description shall be erected within twenty-five (25) feet of the front line of said premises..."

The proposed encroachment is compliant with Montgomery County zoning regulations<sup>1</sup>.

The Applicants are also undertaking alterations to the rear yard hardscaping and propose to replace the front walkway, driveway and apron in approximately the same location. That work, as proposed, is compliant with Village building regulations.

To date there have been seven letters received from abutting neighbors in support of the request. No letters have been received in opposition to the request.

The Village arborist has assessed the property. There are no tree protection concerns related to the expansion of the stoop or construction of the portico.

Applicable Fees: Building Permit Application: \$30; Variance Application Fee: \$300.

<sup>1</sup> Sec. 59-B-3.1 Steps, terraces and porches.

Open steps and stoops, exterior stairways, terraces and porches may extend into any minimum front or rear yard not more than 9 feet.



## RELEVANT PRIOR CASES

There are many requests for variances to construct new porticos forward of the twenty-five (25) foot front building restriction that have been **denied** because the Board found the requests would be a violation of the covenants applicable to the property. There are precedents of **granting** of variance requests for construction forward of the Village's twenty-five (25) foot front BRL where:

- 1) There was no *covenant* restriction applicable at the property. Either there was no mention in the covenants applicable to the property of a front setback or the covenants prohibited specific structures (such as carriage houses, stables, etc.) but did not have the more standard language of "no structure of any description" being prohibited). In those cases the Board was able to find that the proposed portico would not be a violation of the applicable covenants.
- 2) The Applicants were able to demonstrate that the front covenant setback was not applicable at the property either because the existing encroachment was original to the property and there were a large number of properties on the same block that had similar encroachments, hence the Board found that the covenant setback was not enforceable at that property.

In the current application, the existing portico encroaches forward of the front BRL and the proposed portico would encroach no farther forward of the front BRL. It would, however, be wider than the existing portico and also be a vertical expansion of the existing encroachment due to the re-configured roof. The request is very similar to the 2007 request of Mr. & Mrs. Christopher Abell of 14 West Irving Street. In that case, the applicants were **granted** a variance to reconfigure a front porch "shed" style roof to a flat roof with a railing which would encroach no farther forward of the front BRL than the existing. A difference in that case was the footprint of that stoop and roof did not expand in width (as proposed in this case), however the vertical expansion of the roof was similar. Also, in both cases the existing and proposed roofs encroached forward of a covenant setback line. In 1996, Mr. & Mrs. William Janes of 9 West Lenox Street were **denied** a variance to extend an existing covered porch in the east front (Laurel Parkway) yard. That proposed porch would have extended the existing encroachment an additional eighteen (18) feet in width across the front of the property.

## FINDINGS REQUIRED:

1. The proposed variance is required because special conditions exist whereby the enforcement of the requirements of the Village Building Code would result in an unwarranted hardship and injustice to the owner.
2. The proposed variance will most nearly accomplish the intent and purpose of the requirements of the Village Building Code; and
3. Except for variances from the requirements of Sections 8-21 [fences], 8-26 [driveways] or Chapter 25 [public rights-of-way] of the Village Regulations, the structure authorized by the proposed variance would not violate any covenant applicable to the property.

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## Draft Motion

I move to APPROVE/DENY the variance request in Case A-6573 on the basis that the evidence presented, including the Staff Report, demonstrates that the applicable requirements for approval of the variance HAVE/HAVE NOT been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, APPROVING/DENYING the variance request.



**CHEVY CHASE VILLAGE  
NOTICE OF PUBLIC HEARING**

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Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 4<sup>th</sup> day of August, 2014 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-6573  
MR. DEVIN TALBOTT &  
MS. LAUREN TALBOTT  
6131 NEVADA AVENUE  
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-9 of the Chevy Chase Village Building Code to construct an expanded portico with an at-grade stoop. The proposed portico would measure a maximum of eleven (11) feet in width and eleven feet, six inches (11'-6") in height. The proposed portico would encroach no farther forward of the twenty-five (25) foot front (Nevada Avenue) building restriction line than the maximum encroachment of the existing portico (one foot, two and one-quarter inches (1'-2 ¼")), but the overall width of the proposed portico would increase by one foot, seven inches (1'-7"). The maximum height of the proposed portico would not increase, however portions of the proposed portico would exceed the height of portions of the existing sloped roof.

**The Chevy Chase Village Code Sec. 8-16 (c) states:**

No structure of any description shall be erected within twenty-five (25) feet of the front lot line of any lot...

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov) or you may contact the office for this information to be mailed to you.

This notice was mailed (and emailed where possible) and to abutting and confronting property owners on the 21<sup>st</sup> day of July, 2014.

**Chevy Chase Village Office  
5906 Connecticut Avenue  
Chevy Chase, Maryland 20815  
301-654-7300**

# Chevy Chase Village

## Application for a Variance

A variance is permission granted to a landowner to depart from the specific requirements of the Village zoning ordinance and allows a landowner to use land differently than specified in the ordinance. The variance is a written authorization from the Board of Managers permitting construction in a manner not otherwise allowed by the Village Code.

<b>Subject Property:</b> 6131 Nevada Ave., Chevy Chase, MD 20815	
<b>Describe the Proposed Project:</b> Replacement of existing portico and stoop. Expansion of width of portico, change in roofline of portico and stoop.	
<b>Applicant Name(s) (List all property owners):</b> Devin and Lauren Talbott	
<b>Daytime telephone:</b> 240-396-6465	<b>Cell:</b> 202-247-0655 / 202-251-5547
<b>E-mail:</b> laurentalbott@gmail.com	
<b>Address (if different from property address):</b>	
<b>For Village staff use:</b>	
<b>Date this form received:</b> 7/16/14	<b>Variance No:</b> 4-6573

### Filing Requirements:

**Application will not be accepted or reviewed until the application is complete**

- ☒ Completed Chevy Chase Village Application for a Variance (this form)
- ☒ Completed Chevy Chase Village Building Permit Application
- ☒ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☒ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☒ Copy of Covenants applicable to the property except for variances from Sections 8-22, 8-26 or Article IV of Chapter 8 of the Chevy Chase Village Code.
- ☒ Variance fee (See fee schedule listed in Chapter 6 of the Village Code).

### Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: Devin Talbott  
 Applicant's Signature: Lauren Talbott

Date: 7/16/14  
 Date: 7/16/14



**Describe the basis for the variance request (attach additional pages as needed).**

Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village:

See attached

Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of the special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause that unwarranted hardship and injustice):

See attached

Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

See attached

*In exercising its powers in connection with a variance request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.*

<b>Variance Filing Fee</b> <i>Per Village Code Sec. 6-2(a)(24):</i> <input checked="" type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. <input type="checkbox"/> Other: \$ _____ <b>Fee Paid:</b> <u>previously assessed</u>	<b>Checks Payable To:</b> <b>Chevy Chase Village</b> <b>5906 Connecticut Ave.</b> <b>Chevy Chase, MD 20815</b>  <b>Date Paid:</b>  <b>Staff Signature:</b>
	<b>Approved to Issue Building Permit per Board Decision Signed by the Board Secretary on:</b>  <b>Date:</b> _____  <b>Signature:</b> _____ <b>Village Manager</b>



Devin and Lauren Talbott  
6131 Nevada Avenue  
Chevy Chase, MD 20815

Attachment to Variance Application

**Describe the basis for the variance request.**

Our property has an odd shape to the lot (see plat document) due to an angled rear lot line. Because of this oddly shaped lot, the house had to be located more forward on the lot than might be typical to provide more usable space in the back. As a result, the current portico and stoop's dimensions inhibit access to the house and limit visibility from it. Three of our five neighbors have similar entry related variances.

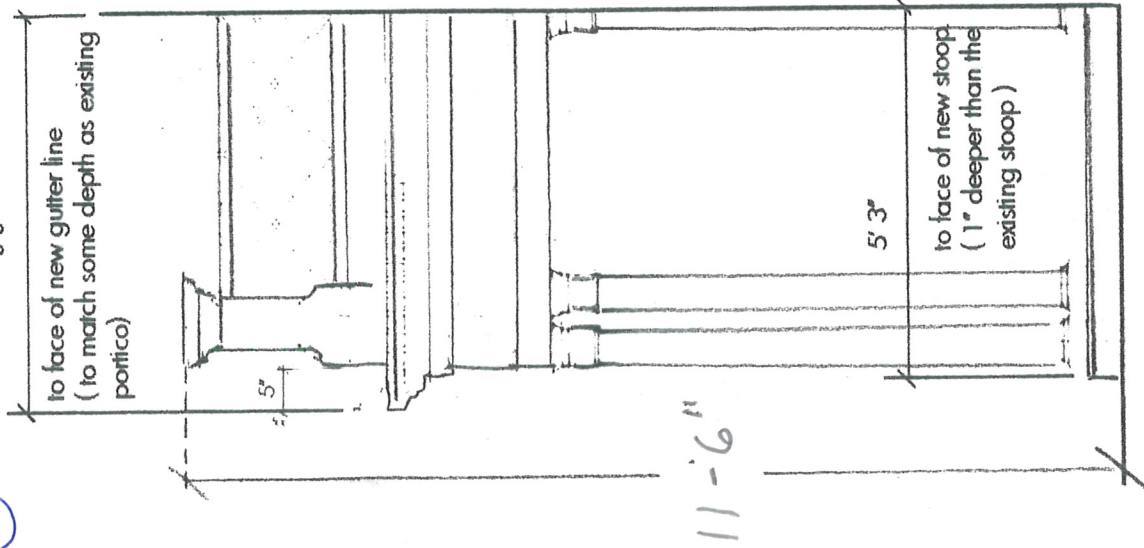
**Describe how enforcement of building regulations would result in unwarranted hardship and how the special conditions cause the unwarranted hardship.**

- As part of this project, we are considering putting in a storm door outside our front door. We have three young children who frequently play in the front and we need to be able to watch them. They play in the front because the rear yard is somewhat smaller than average due to the angled rear lot line. In order for the stoop to be compliant, it would be so shallow that we would have to take a step back off the stoop in order to open the storm door, making the stoop too shallow to affect its purpose; therefore, we would like to maintain the existing depth of the stoop. It would be a hardship not to be able to have a storm door in order to monitor our children's safety.
- If the stoop were in compliance, we would have a hard time entering the home with our three small children and the strollers, scooters, and tricycles that we have for them. It would be very cumbersome and difficult to get in and out of the home. It would be a hardship to limit comfortable access to our home.
- Our children use the front yard to play (as the back yard is slightly smaller than average due to the angled rear lot line) and they use the front sidewalk to ride their scooters and tricycles, etc. We have a nanny/caregiver who is 77 years old. She needs a place to sit on the stoop in order to watch the children when they are in the front yard. The stoop and portico need to have space for a bench for her to sit on while watching the children. It would be a hardship for an elderly caregiver not to be able to sit comfortably and have ample visibility to watch the children.
- In summary: our proposal (which widens the stoop and portico modestly, while maintaining the existing depth) promotes the secure monitoring of our children, improves comfortable access to our home, and is in keeping with the variances and character of our neighbors. It would be a hardship to limit our ability to provide for our children's safety and would inhibit the use of our property.

**Intents and purposes of requirements**

The provision of a larger stoop and portico would enable us to enjoy our property further. Because other properties in the neighborhood and on our street have similar porticos, it can be construed that porticos are a part of the character of the street and that the addition of a portico at our property would not adversely alter the character of the street.

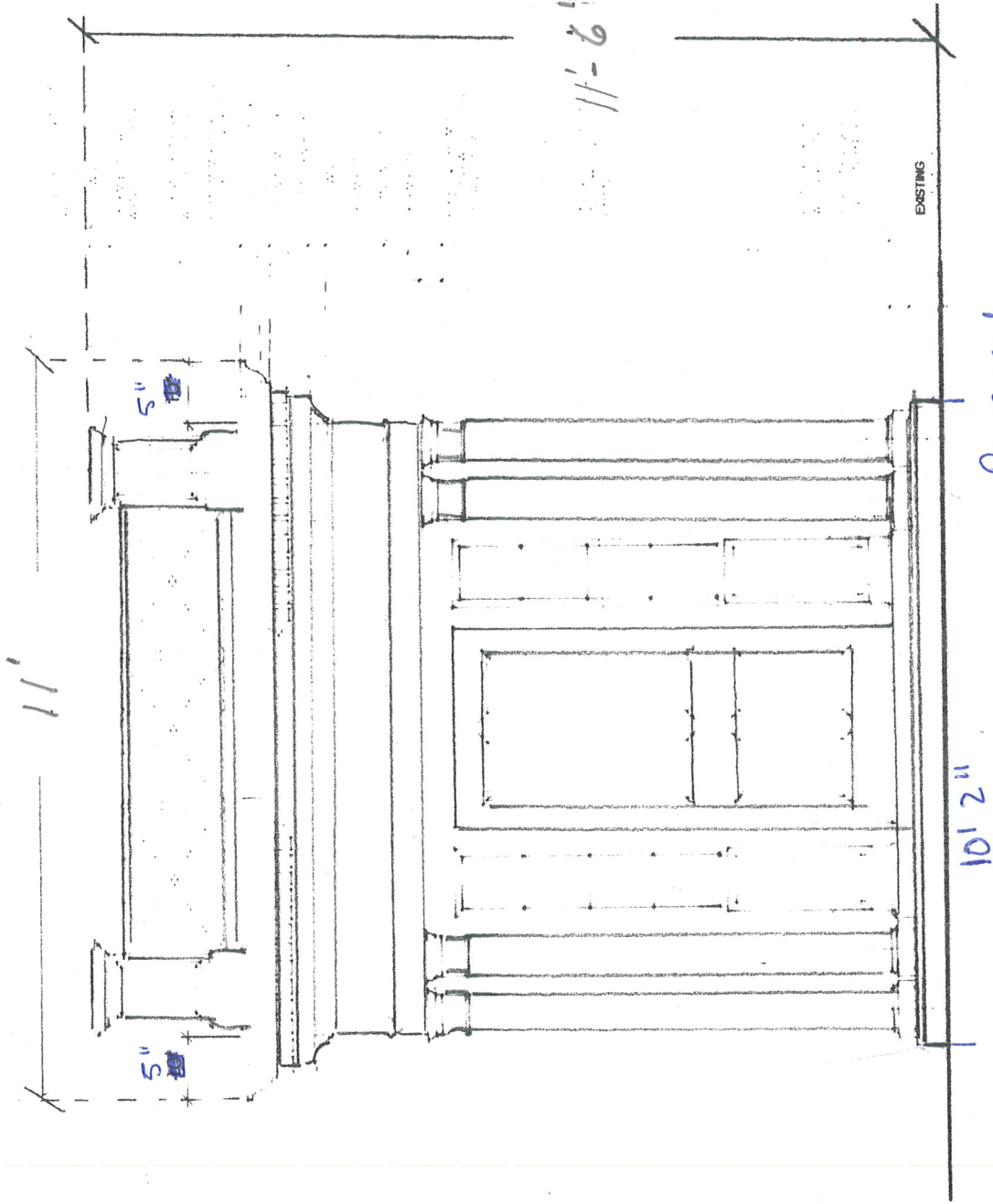
3



# STOOP AND PORTICO

SIDE ELEVATION, not to scale

9



# STOOP AND PORTICO

FRONT ELEVATION, not to scale

Proposed

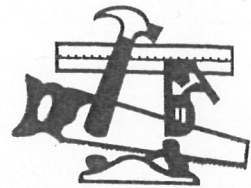
TALBOTT RESIDENCE

6131 NEVADA AVE

No. 501  
Sec. 07



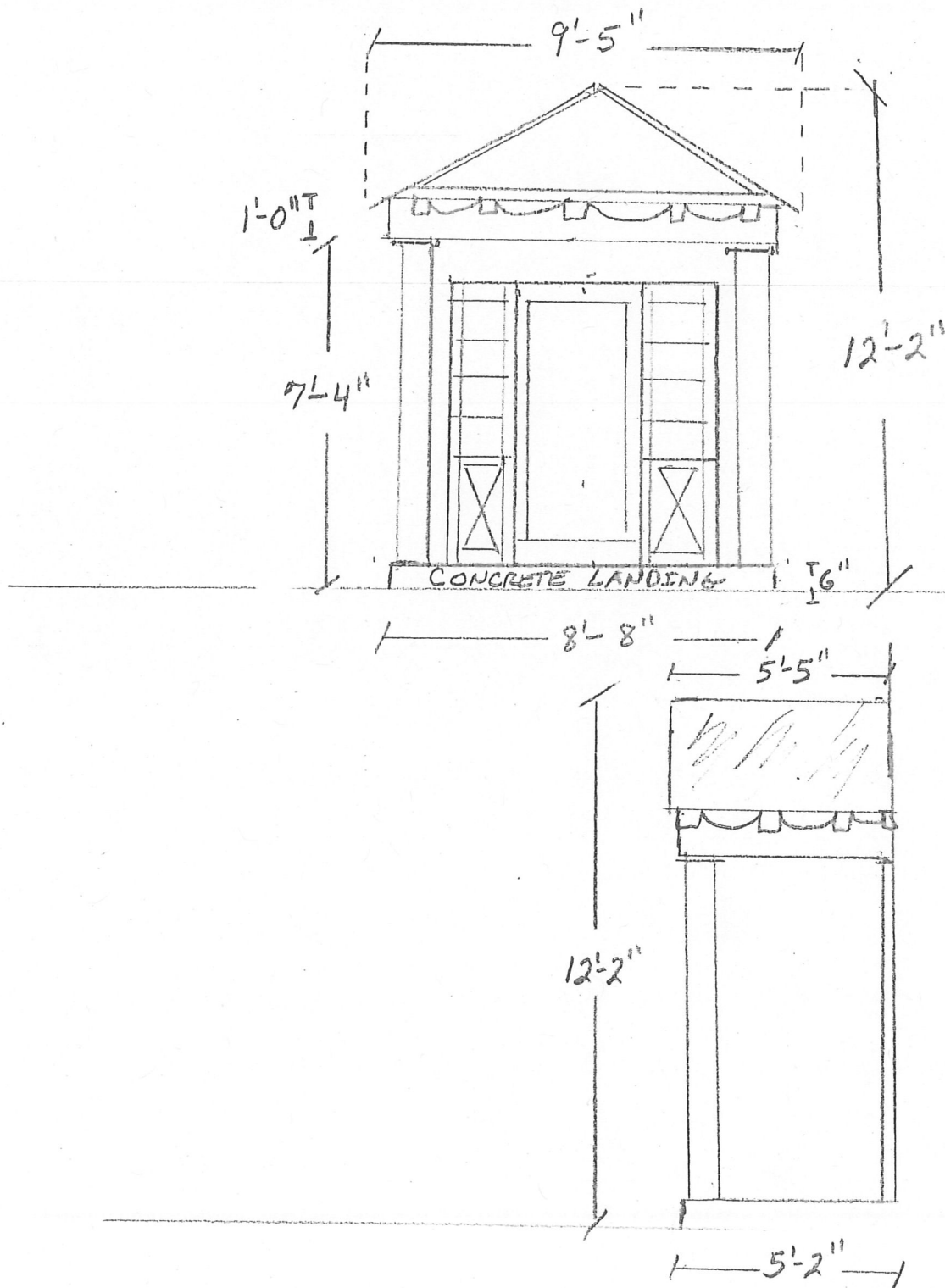
2



# JOHN C. CASSELL GENERAL CONTRACTOR, INC.

5807 WYNGATE DRIVE BETHESDA, MD 20817 PHONE/FAX (301) 530-9337

www.johnccassellgeneralcontractor.com



HOUSE

Existing

10 TALBOT RESIDENCE / 6131 NEVADA AVE.

1/4 SCALE  
JCC/07-08-14

NOTES:

1. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
2. SUBJECT TO ALL EASEMENTS ON RECORD.

DRAWN BY: DS  
FILE: #5131 NEVADA AVENUE

I HEREBY CERTIFY THAT IMPROVEMENTS ARE LOCATED AS SHOWN HEREON AND TO THE BEST OF MY INFORMATION, PROFESSIONAL KNOWLEDGE AND BELIEF, THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN.



FITZROY J. BERTRAND  
SURVEYOR

DATE

6/10/2014

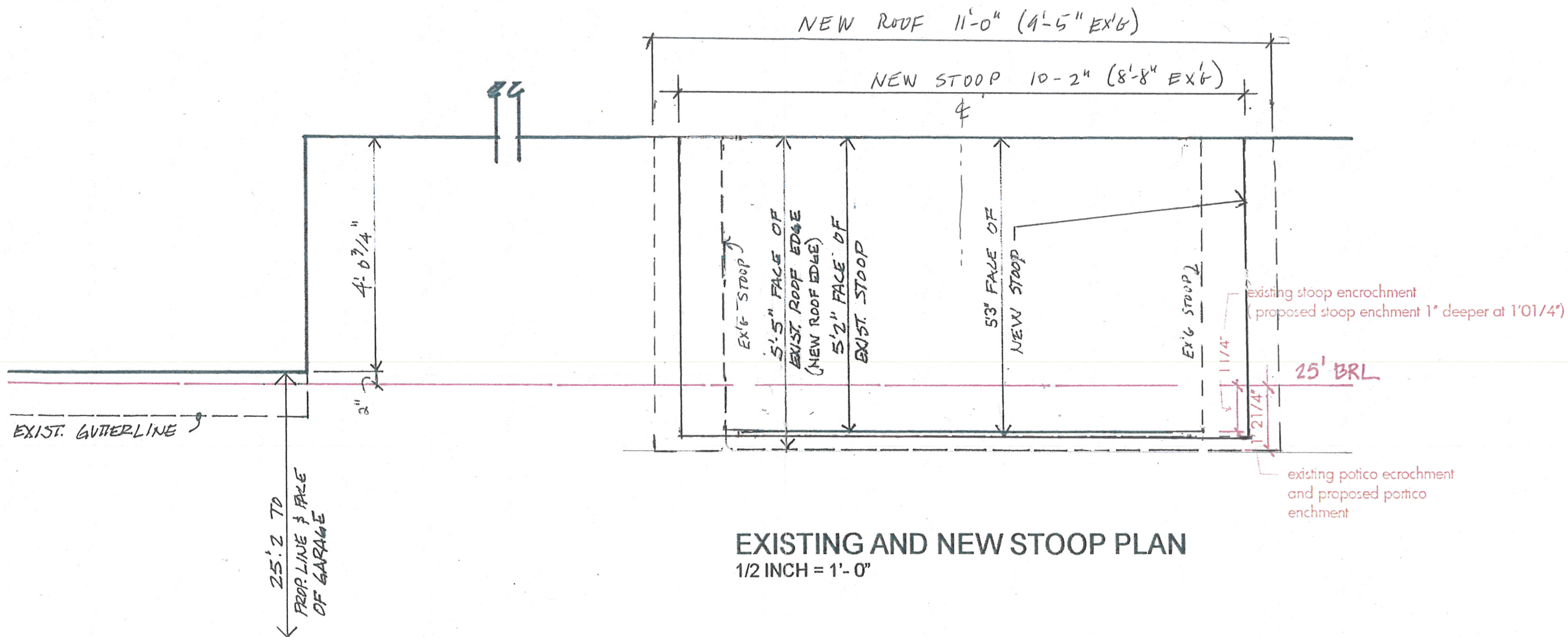
LOCATION DRAWING  
LOT 33: BLOCK 46  
CHEVY CHASE VILLAGE: SECTION 2  
PLAT: #974  
MONTGOMERY COUNTY, MARYLAND  
SCALE: 1" = 30' DATE: 6/5/14

REAL ESTATE SURVEYORS & DEVELOPERS, LLC

Residential, Commercial, Industrial and Land  
WWW.RESOLLC.COM  
LAUREL LAKES EXECUTIVE PARK  
8325 CHERRY LAKE  
LAUREL, MARYLAND 20707  
TEL: (301) 604-3105 FAX: (301) 604-3108

SIDE ELEVATION, not to scale

5







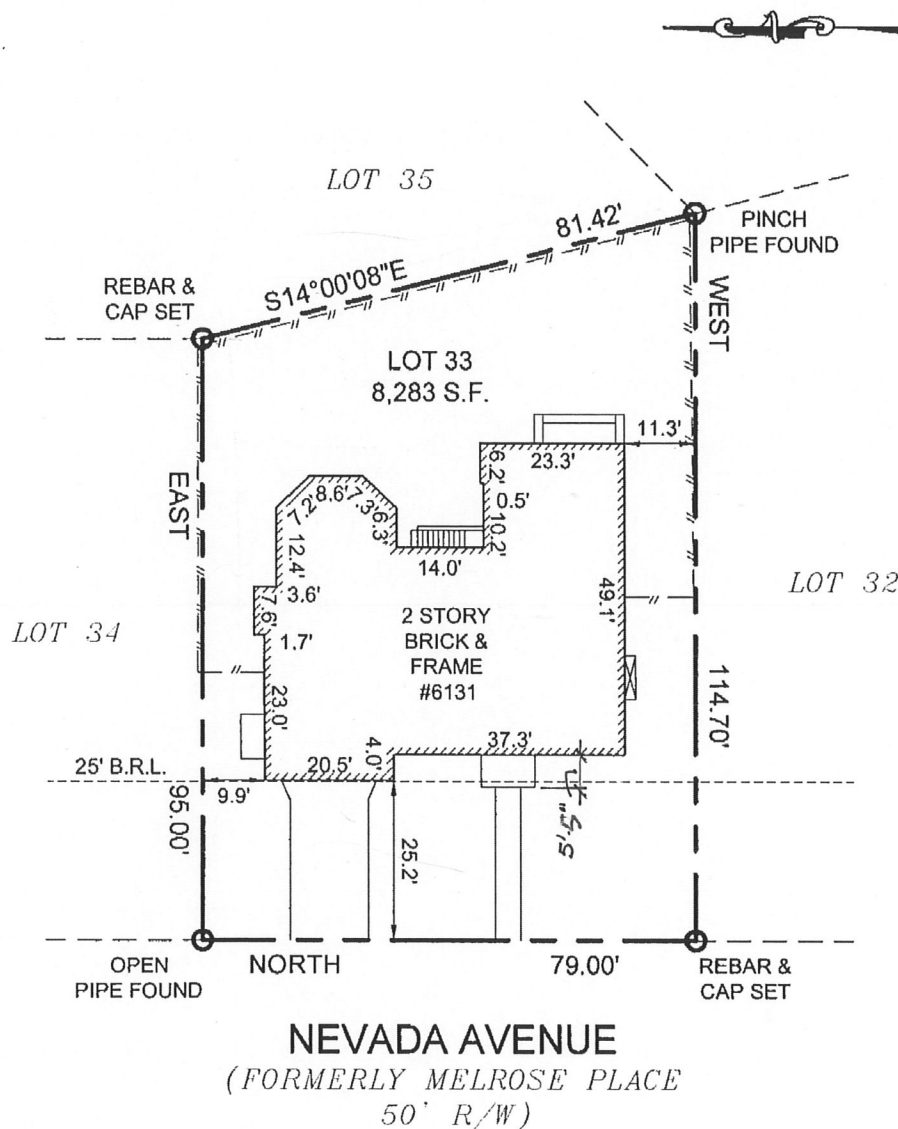
6131 Nevada Ave  
Nevada Ave

Street View - Mar 2012

2a



ADDRESS: 6131 NEVADA AVENUE  
CHEVY CHASE, MD 20815



## NOTES:

1. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
2. SUBJECT TO ALL EASEMENTS ON RECORD.

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FILE: #6131 NEVADA AVENUE

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SURVEYOR

DATE

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LOCATION DRAWING  
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8325 CHERRY LANE  
LAUREL, MARYLAND 20707  
TEL: (301)604-3105 FAX: (301)604-3108

## CCV Permitting

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**From:** Rippeon, Benjamin [BRippeon@gibsondunn.com]  
**Sent:** Thursday, July 10, 2014 10:44 AM  
**To:** CCV Permitting  
**Cc:** devintalbott@gmail.com  
**Subject:** Notice for 6131 Nevada Avenue

I have spoken with the Talbotts of 6131 Nevada Ave. This letter serves as my acknowledgment that I have been given notice of and do not challenge their proposed portico. I understand that they are changing the roof line of their portico from a triangle to a flat rectangle with some decorative fencing on top. I understand that there is a need for a variance approval. I am aware of the new dimensions (existing portico - height 12' 2", depth 5' 5", and length 9' 5" versus the proposed portico - height 11' 6", depth 5' 5", and length 10' 2"). I am supportive of the project.

Benjamin and Nicolle Rippeon  
6134 Nevada Avenue  
Chevy Chase, MD 20815

Benjamin H. Rippeon

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306  
Tel +1 202.955.8265 • Fax +1 202.530.9638  
BRippeon@gibsondunn.com • www.gibsondunn.com

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This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

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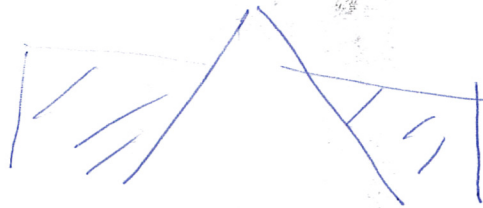
Devin and Lauren Talbott  
6131 Nevada Ave.  
Chevy Chase, MD 20815  
202-247-0655 (m)  
laurentalbott@gmail.com

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Name:

Address:

Marie Carletty Marie Carletty  
110 E Lynox  
Chevy Chase MD 20815





Devin and Lauren Talbott  
6131 Nevada Ave.  
Chevy Chase, MD 20815  
202-247-0655 (m)  
laurentalbott@gmail.com

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Name:  
Address:



Brian C. Dwyer  
6127 Nevada Ave  
Chevy Chase MD  
20815

Devin and Lauren Talbott  
6131 Nevada Ave.  
Chevy Chase, MD 20815  
202-247-0655 (m)  
laurentalbott@gmail.com

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Name:

Address:

Joe + Lotty Rodriguez  
6131 Nevada Ave  
Chevy Chase, MD 20815

Devin and Lauren Talbott  
6131 Nevada Ave.  
Chevy Chase, MD 20815  
202-247-0655 (m)  
laurentalbott@gmail.com

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Name: Benjamin Rippean  
Address: 6134 Nevada Ave



Devin and Lauren Talbott  
6131 Nevada Ave.  
Chevy Chase, MD 20815  
202-247-0655 (m)  
laurentalbott@gmail.com

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Name:

Address:



Denise Hunt

6130 Nevada Avenue



## CCV Permitting

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**From:** Korenchuk, Keith M. [Keith.Korenchuk@APORTER.COM]  
**Sent:** Friday, July 25, 2014 10:01 AM  
**To:** CCV Permitting  
**Subject:** RE: 6131 Nevada Ave appeal notice

Ellen,

I live at 116 East Melrose Street. I support the request for a variance for 6131 Nevada.

Let me know if you have any questions.

Thanks.

Keith Korenchuk

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**From:** CCV Permitting [mailto:CCVPERMIT01@montgomerycountymd.gov]  
**Sent:** Tuesday, July 22, 2014 4:36 PM  
**To:** CCV Permitting  
**Subject:** 6131 Nevada Ave appeal notice

To neighbors of 6131 Nevada Avenue:

You are receiving the attached notice because you are an abutting or confronting property owner to an appeal to the Board of Managers for the above referenced address. In addition to hard copies mailed yesterday, we are now sending notices for upcoming Board appeal requests via email, when possible. Please contact me if you have any questions.  
Thank you,

Ellen Sands  
Permitting and Code Enforcement Coordinator  
Chevy Chase Village  
Tele. 301-654-7300  
FAX 301-907-9721

[ccvpermitting@montgomerycountymd.gov](mailto:ccvpermitting@montgomerycountymd.gov)  
[www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov)



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U.S. Treasury Circular 230 Notice

Any U.S. federal tax advice included in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding U.S. federal tax-related penalties or (ii) promoting, marketing or recommending to another party any tax-related matter addressed herein.

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R Schwartz Jones  
Director

BUILDING PERMIT

Issue Date: 05/20/2014

Permit No: 672701  
AP Type: BUILDING  
Expires: 05/20/2015  
X Ref.:  
Rev. No:  
ID: 1230382

THIS IS TO CERTIFY THAT: DEVIN TALBOTT  
6131 NEVADA AVE  
CHEVY CHASE, MD 20815

HAS PERMISSION TO: ALTER SINGLE FAMILY DWELLING

PERMIT CONDITIONS: ALTERATION TO FRONT STOOP

MODEL NAME:

PREMISE ADDRESS: 6131 NEVADA AVE □ CHEVY CHASE, MD 20815-3301

DESIGN FOR LIFE:	N	32" or wider Interior Door	N	Maneuvering Space at least 30" x 48" Bathroom or Kitchen
	N	No-Step Front Door Entrance	N	Exterior or Interior Elevator or Lift
N Visitable	N	36" or wider Exterior Door	N	Walk-in or Roll-in Shower or Tub
N Livable	N	Installation of Grab Bars	N	Alternative Sensory Alarm, Appliance or Control
	N	Installed Ramp		

LOT - BLOCK: 33 - 46

ZONE:

ELECTION DISTRICT: 07

BOND NO.:

BOND TYPE:

PERMIT FEE: \$ 199.50

SUBDIVISION: CHEVY CHASE SEC 2

PS NUMBER:

TRANSPORTATION IMPACT TAX DUE:  
SCHOOLS IMPACT TAX DUE:  
SCHOOLS FACILITY PAYMENT DUE:

MUST BE KEPT AT JOB SITE

AN APPROVED FINAL INSPECTION IS REQUIRED PRIOR TO USE OR OCCUPANCY

*Every* new one- or two-family dwelling, *every townhouse* and any *attached accessory structure* must be equipped with a *fire sprinkler system*. A separate sprinkler permit is required for the installation of the fire sprinkler system.

Many subdivisions and neighborhoods within Montgomery County have private deed restrictions and covenants regulating building construction. Obtaining a building permit does not relieve the property owner of responsibility for complying with applicable covenants.

NOTICE

THIS APPROVAL DOES NOT  
INCLUDE PLUMBING, GAS PIPING  
OR ELECTRICAL OR  
CONSTRUCTION IN ANY  
DEDICATED RIGHT-OF-WAY.

NOTE

THIS PERMIT DOES NOT INCLUDE  
APPROVAL FOR ANY ELECTRICAL  
WORK. YOU MUST HAVE A SEPARATE  
ELECTRICAL PERMIT TO DO ANY  
ELECTRICAL WORK.

*Diane R. Schwartz Jones*

Director, Department of Permitting Services



B/M  
EXAMINER  
Gowley Bros.  
Investment Bldg  
H.C. 3/4/44

At the request of Charles E. Cooley and William O. Cooley the following Deed was recorded February 14th, A. D., 1944 at 1:07 o'clock P. M., to-wit:-

This Deed, Made this 8th day of February, in the year one thousand nine hundred and forty four, by and between The Chevy Chase Land Company, of Montgomery County, Maryland (a corporation duly organized under and by virtue of the laws of the State of Maryland), party of the first part, and Charles E. Cooley and William O. Cooley, as joint tenants, parties of the second part:

Witnesseth, That the said party of the first part, for and in consideration of the sum of Forty Thousand (\$40,000) dollars to it paid by the said parties of the second part, and of the covenants and agreements of the said parties of the second part as hereinafter set forth, does hereby grant and convey unto the said parties of the second part, as joint tenants in fee simple, the following described land and premises, with the improvements, easements, and appurtenances thereunto belonging, situate in the County of Montgomery State of Maryland, namely:

Lot 1, in Block 55, in a subdivision known as "Section 2, Chevy Chase", Montgomery County, Maryland; as per plat recorded in Plat Book No. 2, plat 106, one of the Land Records for said Montgomery County;

Subject to a 25 foot building restriction line as shown on said recorded plat.

Also Lots 6 and 7, in Block 55, of a resubdivision of Lot 5, in Block 55, in a subdivision known as "Section 2, Chevy Chase", Montgomery County, Maryland; as per plat of said resubdivision recorded in Plat Book No. 4, plat 310, one of the Land Records for said Montgomery County;

Subject to a 25 foot building restriction line as shown on said recorded plat.

Also Lots 19 to 25, both inclusive, and Lots 32 to 39, both inclusive in Block 46, and Lots 23 and 25 in Block 45, in a subdivision known as "Section 2, Chevy Chase", Montgomery County, Maryland; as per plat recorded in Plat Book No. 15, plat 974, one of the Land Records for said Montgomery County;

Subject to a 25 foot building restriction line as shown on said recorded plat.

Subject to a 6 foot reservation for surface drainage and the construction, operation and maintenance of a storm sewer and 5 foot reservation for the operation and maintenance of an existing sewer, both reservations crossing Lots 19 and 39 in Block 46, as shown on said recorded plat.

Subject to an 8 foot reservation across the South side lines of Lots 37 and 25 in Block 46, for the construction, operation and maintenance of water mains, as shown on said recorded plat.

Subject to an 8 foot reservation across the North side lines of Lot 36 in Block 46 for the construction, operation and maintenance of a sewer, as shown on said recorded plat.

Subject to a 10 foot reservation across the North side line of Lot 32 in Block 46 for the construction, operation and maintenance of water mains and a sewer, as shown on said recorded plat;

It is Hereby Understood and Agreed that no building shall be erected on the land hereby conveyed unless and until the plans of the elevations, the design and color scheme thereof, as well as the location of said buildings on said land shall be first approved in writing by The Chevy Chase Land Company of Montgomery County, Maryland, or its successors.

To Have and to Hold the said land and premises, with the improvements, easements and appurtenances, unto and to the use of the said parties of the second part.



(A RESUBDIVISION OF PARTS OF LOTS 1 AND 9 AND ALL OF LOTS 10 AND 11 IN BLOCK 35; LOTS 1 TO 7 INCLUSIVE, PART OF LOT 8, PART OF LOT 15 AND ALL OF LOTS 16 TO 22 INCLUSIVE IN BLOCK 45; AND LOTS 1 TO 5 INCLUSIVE, PARTS OF LOTS 6 AND 14 AND ALL OF LOTS 15 TO 18 INCLUSIVE IN BLOCK 46.)

# SECTION 2 CHEVY CHASE

MONTGOMERY COUNTY, MARYLAND  
SCALE: 1" = 100' JULY 1938

DAVID J. HOWELL & SON  
ENGINEERS, WASHINGTON D.C.

FILED  
AUG 5 1938

Section 2, Chevy Chase, as per plat recorded among the aforementioned Land Records in Plat Book 2, Plat 106; and all of the lands acquired by The Chevy Chase Land Company of Montgomery County, Maryland, by decree of the Circuit Court of Montgomery County, Maryland, May 31, 1938 in Equity Cause No. 8,596 being a part of Melrose St., 60 feet wide, and a part of Lenox St., 60 feet wide, as shown on the plat of Section 2 Chevy Chase recorded among the aforementioned Land Records in Plat Book 2, Plat 106; and that stones marked thus: a, and iron pipe marked thus: o have been placed as indicated.

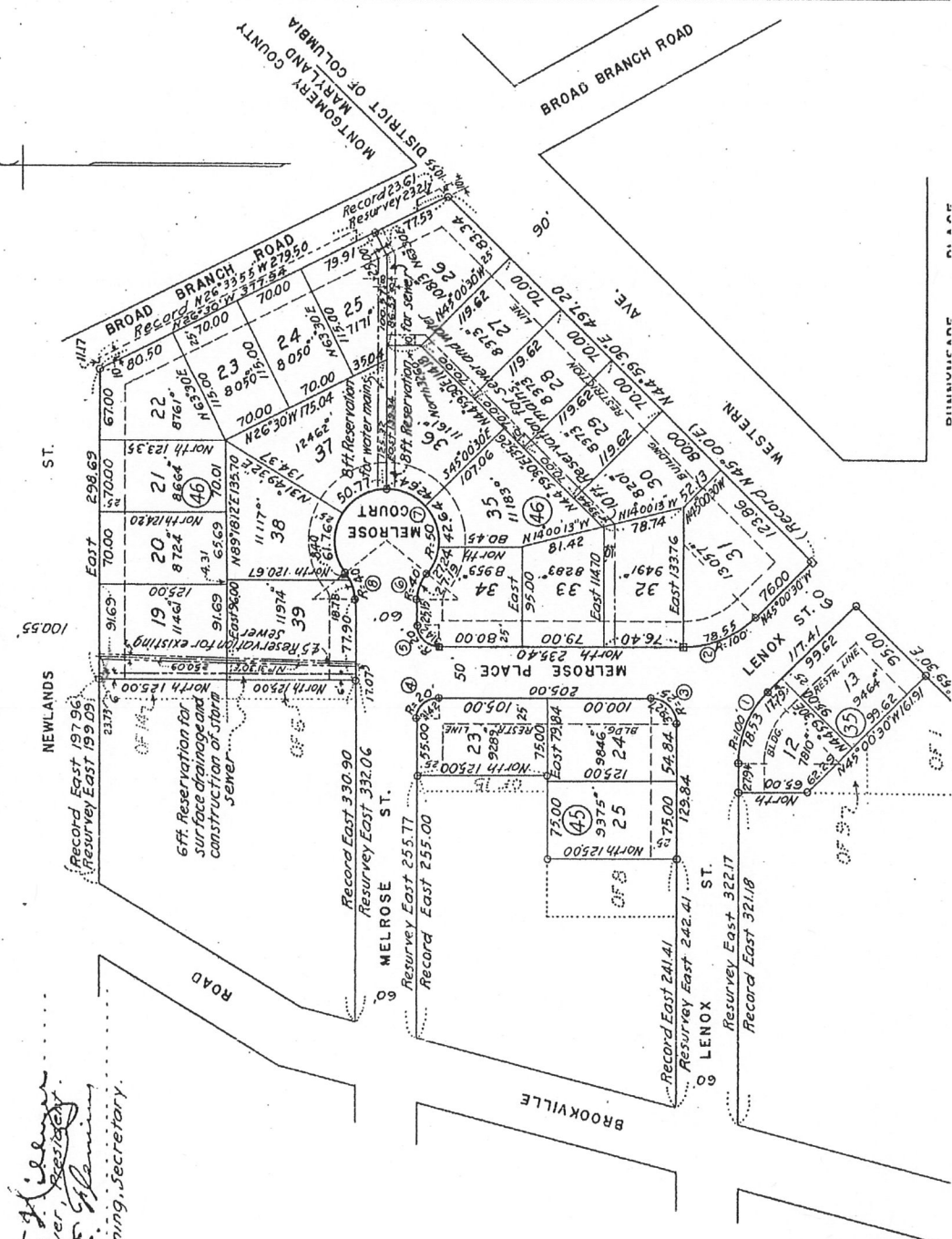
*David J. Howell & Son*  
David J. Howell & Son Engineers

OWNERS' DEDICATION  
We, The Chevy Chase Land Company of Montgomery County, Maryland, duly incorporated under the laws of the State of Maryland, by Edward L. Hillier, President and George E. Fleming, Secretary, owners of the property shown and described herein, hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the streets, the 10 ft strip for widening Broad Branch Road and the land necessary to widen Melrose St. at Melrose Court to public use; and reserve the following areas in Block 46, as shown hereon, for the purposes indicated: 6 ft. Reservation for surface drainage and the construction, operation and maintenance of a storm sewer and 5 ft. Reservation for the operation and maintenance of an existing sewer, both reservations crossing lots 19 and 39; an 8 ft. Reservation across lots 37 and 25 for the construction, operation and maintenance of water mains; an 8 ft. Reservation across lots 36 and 26 for the construction, operation and maintenance of a sewer; a 10 ft. Reservation across lots 26, 27, 28, 29, 30 and 32 for the construction, operation and maintenance of water mains and a sewer.

Date: July 21, 1938 . . . . . The Chevy Chase Land Company of Montgomery County, Maryland.

By *Edward L. Hillier*  
Edward L. Hillier, President  
Attest: *George E. Fleming*  
George E. Fleming, Secretary

CURVE RADIUS	CURVE DATA			TAN
	CENTRAL ANGLE	ARC LENGTH	CHORD	
1	100.00	45.00	78.54	41.41
2	100.00	45.00	78.54	41.41
3	100.00	45.00	78.54	41.41
4	100.00	45.00	78.54	41.41
5	100.00	45.00	78.54	41.41
6	100.00	45.00	78.54	41.41
7	100.00	45.00	78.54	41.41
8	100.00	45.00	78.54	41.41



MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION  
APPROVED: JULY 24, 1938  
DATE  
*Earl W. Palmer* CHAIRMAN  
*David J. Howell & Son* CHIEF ENGINEER  
M. N. C. P. & P. C. RECORD FILE NO. 895